

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. 14-15 OF 2018
(Arising out of SLP(C)Nos.38176-38177/2013)

KAUSHAL KISHORE MISHRA APPELLANT(S)

VERSUS

STATE OF BIHAR & ORS. RESPONDENT(S)

O R D E R

1. Leave granted.
2. These appeals are directed against final order(s) passed in LPA No. 199 of 2013 dated 04.03.2013 whereby the prayer for condoning the delay is rejected and the appeal was held not maintainable. The Review Application No. 141 of 2013 was also dismissed vide impugned order dated 29.04.2013.
3. Heard learned counsel for the parties.
4. Having regard to the circumstances of the case and in view of no objection of the respondents, we consider it appropriate to set aside the impugned orders which are

based on the delay and not on merits.

5. We accordingly, set aside the impugned orders and remand the matter to the High Court for a fresh decision in accordance with law. The High Court is requested to decide the matter within a reasonable time.

6. The appeals are allowed accordingly.

.....J.
[S.A. BOBDE]

.....J.
[L. NAGESWARA RAO]

NEW DELHI,
JANUARY 04, 2018.

ITEM NO.9

COURT NO.6

SECTION XVI

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petitions for Special Leave to Appeal (C) Nos.38176-38177/2013

(Arising out of impugned final judgment and order dated 04-03-2013 in LPA No. 199/2013 29-04-2013 in CR No. 141/2013 passed by the High Court Of Judicature At Patna)

KAUSHAL KISHORE MISHRA

Petitioner(s)

VERSUS

STATE OF BIHAR & ORS.
(With prayer for interim relief)

Respondent(s)

Date : 04-01-2018 These petitions were called on
for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.A. BOBDE
HON'BLE MR. JUSTICE L. NAGESWARA RAO

For Petitioner(s) Mr. Neeraj Shekhar, AOR
Mr. Animesh Kumar, Adv.
Mr. Sumit Kumar, Adv.
Mr. Ashutosh Thakur, Adv.
Mr. P.R. Shankar, Adv.

For Respondent(s) Mr. Shivam Singh, Adv.
Mr. Manish Kumar, Adv.
Mr. Aditya Raina, Adv.
Mr. E.C. Vidya Sagar, AOR

UPON hearing the counsel the Court made the following
O R D E R

Leave granted.

The appeals are allowed in terms of the signed
order.

[Charanjeet Kaur]
A.R.-cum-P.S.

[Indu Kumari Pokhriyal]
Asstt. Registrar

[Signed order is placed on the file]